



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Palumbo et al.

Serial No.: 10/750,362

Confirmation No.: 4922

Filed: December 31, 2003

For: METHOD AND SYSTEM FOR
RECEIVING DIGITAL CONTENT
USING A PREPAID DIGITAL
CONTENT CARD

§
§
§
§
§
§
§
§
§
§
§

Group Art Unit: Unknown

Examiner: Unknown

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING 37 CFR 1.8	
I hereby certify that this correspondence is being deposited on <u>10-27-2004</u> with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>10-27-2004</u> Date	 Signature

PETITION FOR FILING OF PATENT APPLICATION
WHEN ONE JOINT INVENTOR REFUSES TO EXECUTE
PAPERS UNDER 37 C.F.R. § 1.47(a)

This Petition is submitted pursuant to 37 CFR § 1.47(a) for the failure of one of the inventors, John Baross, to execute the Declaration and Assignment in connection with the above-identified application. An email dated June 23, 2004 attaching the Declaration and Assignment was sent to Mr. Baross. A letter dated August 27, 2004 to Mr. Baross, with the enclosure of the Declaration and Assignment, was delivered and signed for by Mr. Baross, a copy of the U.S. Post Office Tracking service is provided. A return address label was provided to Mr. Baross for his use in returning the documents, which has not been used as evidenced by the U.S. Post Office Tracking Service. Numerous telephone messages have been made to Mr. Baross' home telephone number but have not been returned. Despite numerous efforts to contact Mr. Baross, the non-signing inventor has failed to execute the Declaration and Assignment.

The last known address of the non-signing inventor, John Baross, is as follows:

126 Pleasant Grove Road
Long Valley, NJ 07853-3444

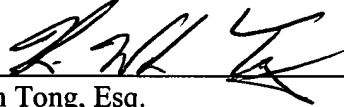
For the foregoing reasons, it is believed that sufficient basis has been established for filing this application absent John Baross' signature. Accordingly, granting of this Petition under 37 C.F.R. § 1.47(a) is respectfully requested.

11/01/2004 WASFAM 00000068 200782 10/750362

04 FC:1460 130.00 DA

The Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/ATT2003-0254 the fee of \$130.00 as required by 37 CFR § 1.17(h) in accordance with 37 CFR § 1.47(a).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kin-Wah Tong', is written over a horizontal line.

Kin-Wah Tong, Esq.

Registration No. 39,400

MOSER, PATTERSON & SHERIDAN, L.L.P.

595 Shrewsbury Avenue

Shrewsbury, NJ 07701

Telephone: (732) 530-9404

Facsimile: (732) 530-9808

-----Original Message-----

From: BJackson@mpsllp.com

Sent: Jun 23, 2004 10:38 AM

To: johnbaross@earthlink.net

Subject: Patent Application for ATT 2003-0254

Dear Mr. BaRoss,

I am attaching herewith two documents which must be executed for filing with the above-identified patent application. They are the Declaration/Power of Attorney and Assignment. Please sign these documents in BLUE INK. The Assignment must be notarized and I have been informed that there are notaries at a credit union office or in the law division or a director's secretary. If you see an error in any of your information, you may correct it in blue ink and place your initials beside the correction. After they are signed, please return a copy of these documents via **facsimile** to me so that we can file the patent application with the Patent Office before the deadline of **JUNE 27, 2004**. Then return the original documents to me for the file. Thanks again for all your help with this matter.

I apologize for the short notice.

Many thanks,

Barbara

Barbara J. Jackson
Paralegal
Moser, Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Shrewsbury, NJ 07702
voice (732) 530-9404, X1144
fax (732) 530-9808
bjackson@mpsllp.com
<http://www.mpsllp.com>

New Jersey--Texas--California

This transmission contains information from the law firm of Moser, Patterson & Sheridan, LLP which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you. Alternatively, notify the sender by replying to this transmission and delete the message without disclosing it. Thank you.

MOSER
PATTERSON &
SHERIDAN, LLP

ATTORNEYS AT LAW

EV338401580US

August 27, 2004

Mr. John BaRoss
16 Pleasant Grove Road
Long Valley, NJ 07853-3444

Re: U.S. Patent Application No. 10/750,362
Entitled: "METHOD AND SYSTEM FOR RECEIVING DIGITAL
CONTENT USING A PREPAID DIGITAL CONTENT CARD"
Our File: ATT 2003-0254

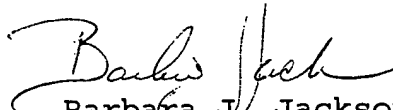
Dear Mr. BaRoss:

I am forwarding with this letter, additional copies of the Declaration and Power of Attorney, along with the Assignment, which is required for filing with the above-identified patent application.

The issue which you had previously brought to our attention concerning this matter has now been resolved. Our attorney, Mr. Kin-Wah Tong, has attempted to contact you several times to discuss the resolution but has been unable to reach you.

As this matter is now considered resolved, I would appreciate your signing, dating and returning these documents. I have provided a pre-paid Express Mail envelope for your use. If you still have any concern with regards to this matter, please call us at your earliest opportunity so that we can discuss the matter with you.

Very truly yours,


Barbara J. Jackson
Paralegal

:bjj
Enclosure

CC: Kin-Wah Tong, Esq.

350 Cambridge Ave, Suite 250
Palo Alto, CA 94306-1550
TEL 650.330.2310
FAX 650.330.2314

595 Shrewsbury Ave, Suite 100
Shrewsbury, NJ 07702-4185
TEL 732.530.9404
FAX 732.530.9808

WWW.MPSLLP.COM

3040 Post Oak Blvd, Suite 1500
Houston, TX 77056-6582
TEL 713.623.4844
FAX 713.623.4846

[Home](#)

Track & Confirm

Shipment Details

You entered EV33 8401 580U S

Your item was delivered at 10:43 am on August 28, 2004 in LONG VALLEY, NJ 07853. The item was signed for by J BA ROSS.

Here is what happened earlier:

- ARRIVAL AT UNIT, August 28, 2004, 8:28 am, LONG VALLEY, NJ 07853
- ENROUTE, August 28, 2004, 12:33 am, WHIPPANY, NJ 07999
- ACCEPTANCE, August 27, 2004, 4:36 pm, SHREWSBURY, NJ 07702

Notification Options

▶ Track & Confirm by email

[What is this?](#)

Go >

▶ Request Proof of Delivery

[What is this?](#)

Go >

Track & Confirm

Enter label number:

Go >

Track & Confirm FAQs

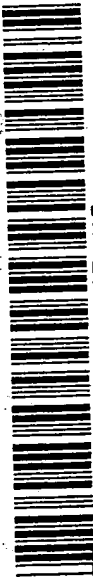
Go >



POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)





EV 338401593 US

Mailing Label
Label 11-F June 2002



UNITED STATES POSTAL SERVICE®
Post Office To Addressee

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)			
PO ZIP Code		Day of Delivery		Delivery Attempt		Employee Signature	
		<input type="checkbox"/> Next <input type="checkbox"/> Second		Time <input type="checkbox"/> AM <input type="checkbox"/> PM			
Date In		Postage		Delivery Attempt		Employee Signature	
Mo. Day Year		<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM		Time <input type="checkbox"/> AM <input type="checkbox"/> PM			
Time In		Military		Delivery Date		Employee Signature	
<input type="checkbox"/> AM <input type="checkbox"/> PM		<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day		Time <input type="checkbox"/> AM <input type="checkbox"/> PM			
Weight		Int'l Alpha Country Code		Mo. Day			
lbs. ozs.		COD Fee Insurance Fee		No Delivery			
No Delivery		Acceptance Clerk Initials		Total Postage & Fees			
<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		\$					
CUSTOMER USE ONLY				FEDERAL AGENCY ACCT. NO. OR POSTAL SERVICE ACCT. NO.			
METHOD OF PAYMENT: X077307				TO: (PLEASE PRINT)			
FROM: (PLEASE PRINT)				PHONE			
MOSER PATTERSON & SHERIDAN LLP				Kin Wan Tong, Esq			
595 SHREWSBURY AVE STE 100				Moser Patterson + Sheridan LLP			
SHREWSBURY				595 Shrewsbury Ave			
ATT-2003-0254				Suite 100			
				Shrewsbury, NJ 07702			
PRESS HARD. You are making 3 copies.				FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com			



Home

Track & Confirm

Current Status

You entered EV33 8401 593U S

There is no record of that item. If it was mailed recently, information may not yet be available. Please try again later.

Track & Confirm

Enter label number:

[Go >](#)

[Track & Confirm FAQs](#)

[Go >](#)

POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)